HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 5638 OF 1999

Dated 5th July, 2006

Between:
Ellapu Juwalu and others

… Petitioner

And

Visakhapatnam Port Trust,
Visakhapatnam, represented by its
Chairman and another.

… Respondents

ORDER:

The petitioners, who are in the service of Visakhapatnam Port Trust, have filed this writ petition to declare the action of the respondents in not extending the benefits of past service, which they had rendered in the Army, by way of a writ of mandamus, as illegal.

It is the case of the petitioners that all the petitioners had rendered service in the Army and are discharged from Army service, and, subsequently, they joined in various posts in Visakhapatnam Port Trust. They claim certain additional benefits with regard to fixation of pay, seniority and other attendant benefits for their service in Visakhapatnam Port Trust basing on the Notification No.13034/D/Appts dated 4.12.1959 and No.10(1)/63/D(Apptts), dated 1.6.1963 issued by the Government of India.

It is submitted by the learned counsel for the petitioners that similarly placed employees were already extended the benefit of notifications referred to above and without any valid reason or justification, respondents are not extending the same to the petitioners.

In the counter-affidavit filed on behalf of the respondents, it is stated that when certain information was called for consideration of the claim of the petitioners for extension of the benefits basing on the orders of this court dated 30.10.1986 in W.P.No.4143 of 1982, only three petitioners, namely, petitioners Nos. 1, 3 and 6 have furnished information and their claims are under consideration and the other three petitioners have not submitted the required certificates.

As much as it is stated in the counter affidavit that the claims of the petitioners are under consideration, there is no need to adjudicate the case on merits. If the other three petitioners, namely, petitioner Nos. 2, 4, and 5 have not furnished the required information, they shall file the required information and necessary certificates within a period of four weeks from today. On filing such information, the claims of all the petitioners, if not already considered, shall be considered and appropriate orders shall be passed and communicated to them within a period of two months there from.

Subject to the above direction, the writ petition is disposed of. No costs.

_____

5.7.2006 **(R.SUBHASH REDDY, J.)**

VR